

A TRUE
ACCOUNT
OF THE
Irregular Proceedings

At *GUILD-HALL,*

In Relation both to the ELECTION and SWEARING
Dudley North, and Peter Rich, Esquires,
Sheriffs of *London and Middlesex,* in the Year 1682.

THE Citizens of *London* having a Legal Right to Chuse Sheriffs for the said City, and for the County of *Middlesex,* did in their *Common Hall* on the 24th of *June,* 1682, duly Elect by View, *Thomas Papillon,* and *John Dubois,* Esquires, Sheriffs; but a Poll being demanded for *Dudley North,* and *Ralph Box,* Esquires, and the same being granted, upon the Poll the majority fell upon the said *Tho. Papillon,* and *John Dubois.* Afterwards *Sir John Moor,* then Lord Mayor, contrary to Right, and the Trust reposed in him, combining with several other Persons, did admit the said *Ralph Box* to Fine for Sheriff, as if he had been Legally Chosen, whereas he really was not: And to carry on the Design then on foot to destroy the Rights of the said Citizens, did by Armed Force of the Trained Bands, commanded by Lieutenant Collonel *Quiney,* cause the said *Dudley North,* and *Peter Rich,* to be sworn Sheriffs of *London and Middlesex,* altho the said *Dudley North,* and *Peter Rich* were not Chosen either by the View, or by the Poll.

The manner of their Admission and Swearing, being formerly Publish'd, is as followeth:

The 27th of of *September,* at night, the Lord Mayor issued out Tickets to the Aldermen in these Words,

Sir; Your Worship is desired to be at a Court of Aldermen at Guild-Hall on Thursday next at nine of the Clock in the forenoon, in your violet Gown and Cloak, being the twenty eighth of September.

Accordingly several Aldermen appeared at *Guild-hall,* and it being the day appointed for the Swearing of Sheriffs, they attended *Thomas Papillon* and *John Dubois* Esquires, into the *Guild-Hall* at the Hour appointed by the Lord Mayor, which they found guarded by Foot-Companies of the Trained Bands (a thing exprefly contrary to the *English* Constitutions, which have been jealous of nothing more than the preserving Elections free from force or terror); some whereof were posted at the Doors, and presented their Muskets; tho there was no refusal of entrance, but rather an opening of the Files, and some respect shewn. So all the aforesaid Aldermen passed into the Council Chamber, where having staid a little while, and supposing my Lord Mayor might go up to the *Hustings* directly, they went down into the Hall towards the *Hustings*-door, and there abode some time, attending his Lordship's coming, the Soldiers with respect giving way: But Lieutenant Collonel *Quiney,* who was absent at their entry, came up to them very much concerned, and made several turns without speaking to them, but commanded the Soldiers several times to stand to their Arms, and so withdrew. But after a quarter of an hour he came back again, and commanded the Soldiers to face about (and so alter'd their Figure) and to advance so as to encompass or imprison the Aldermen, for there was not six foot square left them to stand upon: Whereupon *Quiney* said to the Aldermen, *I have a Command from the Lieutenantancy to keep the Hall clear, and suffer none to be here till my Lord Mayor comes.* Upon this, several Aldermen demanded to see the Order, being ready to obey all Legal commands; and asked him, whether he did not know that they were Magistrates of the City; and could believe it reached them? To which he answered, *I have none, but it is with the Major of the Regiment, and I do know you, and you must remove.* Further, the Aldermen declared, they were summoned to wait on my Lord Mayor at the *Guild-Hall,* and there attended in all peaceableness: whereupon he withdrew again for some time, but returning, said, *Gentlemen, You MUST withdraw, I have a command to require it.* But being again demanded to shew his VVarrant or Order, he answer'd in a great heat, That he would shew none, nor to none SUCH AS THEY. Then laying hands first on *Sir P. W.*'s shoulder who stood next to him, he said, *Sir You must remove;* and called on his Soldiers to advance close to the Bar, so as to thrust them away; *Sir P. W.* only replied to him, *We are in a lawful place, and on our Duty,* desiring the other Aldermen that were present, and the soldiers, to take notice of the violence offered. And surely it was such as is scarcely to be parallell'd, especially in a well-governed City; that their Civil Magistrates should be so affronted in their own Room. But *Quiney* answered, *He*

cared not for Witness, he would justify what he did, having Orders from the Lieutenantcy so to do. Then he took hold on Sir J. L. who was leaning on the Bar, and with very great and repeated Violence pulled him from off the Step, and had like to have thrown him down; who demanded still by what Order he did it? And that he would shew the same. But he replied again, He would shew none. Then he took hold of Sir J. S. and Sir T. G. and Ald. C. who likewise demanding to see his Orders, were answered to the same purpose as aforesaid. Hereupon all the Aldermen desiring the Soldiers who were present to take notice of the Assaults and Misdemeanours of the said Quiney, they withdrew into the West part of the Hall, where divers Persons were walking, viz. Withers, Wiseman, Nicols, Sturventen, &c. some of them being of the Lieutenantcy, and others not. To whom it was said, Did not you see the Misdemeanours of Quiney? But they instead of resenting the Indignities offered to those worthy Aldermen, who had served the City to so great a degree, that the Mouth of Malice it self may be stopt, answered, He followed but the Orders of the Lieutenantcy. Then it was asked them (being Acquaintance) How they came by that Freedom in the Hall, when the Aldermen were so ill treated there? Whereupon they answered, They were of the Lieutenantcy, and attended the coming of my Lord Mayor: The which the Aldermen told them, they also did, but had not the same Civil Treatment.

Not long after came my Lord Mayor, to whom these Aldermen joyned themselves, and went up out of the Great Hall into the Council-Chamber, and Mr. Papillon and Mr. Dubois with them; where being entred, the first Words my Lord Mayor said, were these, viz. Gentlemen, here are fine doings, to go and Swear Sheriffs, and I not present: Whereunto, Sir J. L. answer'd, Whoever told your Lordship so, misinform'd your Lordship; we came very peaceably to the Hall to perform our Duty, and know well what it is to Administer an Oath, and had not the least Intention of such a thing, but to lay our claim by presenting Sheriffs.

Sir R. C. also told his Lordship, He ought to be angry with those that had given him false Information, rather than with those he was misinformed of; and that nothing was intended or designed contrary to his Lordships frequent and publick Declaration, which was, That the matter should be determin'd by Law; and it was advis'd that could not be done, unless Mr. Papillon and Mr. Dubois did present themselves to be Sworn.

Whereupon his Lordship seem'd to rest satisfied; and immediately the rest of the Aldermen with the other Sheriffs coming in, Mr. Papillon and Mr. Dubois, presented themselves to his Lordship, and Mr. Papillon read a Paper, the contents whereof, was as follows.

To the Right Honourable, the LORD MAYOR, and Court of ALDERMEN: The Humble Declaration of Thomas Papillon Mercer, and John Dubois Weaver, Citizens of London.

OUR Absence in the Country on Midsummer-day last, and for some time before and since, and our being personally Strangers to, and no way appearing or concerning our selves with any of the Transactions or Proceedings then, or since used in the Choice of Sheriffs for this Honourable City and County of Middlesex for the ensuing Year, would have Excused our Attendance upon your Lordship, and this Honourable Court at this time, and upon this Occasion, had we not been Informed by divers, that by the Suffrages of the Majority of the Citizens in Common-Hall, We were, and stand duly Elected Sheriffs for this City and the County of Middlesex for the Ensuing Year.

Now tho our Personal Unacquaintance with the Proceedings used in that Affair hath been such, and that we have not received any Intimation or Command, concerning the same from your Lordship or this Honourable Court, whereby we might have had an Opportunity of declaring our selves either ready to Accept, or desirous to be Excused from that Office, as hath been usual in former Cases of the like Nature; yet in regard of the aforesaid Information, and that the time for such Declaration, as well as for any further Election, is now Elapsed, and not knowing of what Consequence it may be to us, nor what Inconveniencies, or hazard we might be Obnoxious, or exposed unto, if we should continue Silent or Passive in that Affair.

Therefore for the avoiding all Prejudices and Inconveniencies, we have thought it a Duty Incumbent on us, to appear at this time before your Lordship and this Honourable Court, not to Debate or Question any the Proceedings or Transactions in this matter, nor Officiously to Court an Office so Chargeable in it self, and so Inconvenient to Us: But as being Citizens of London, and so under Obligation to Serve the King and Countrey, when duely Called thereto; and desirous to Excuse our selves from all Imputation of Crime or Neglect of Duty that might be charged upon Us: We do with all Submission hereby Declare unto your Lordship and this Honourable Court, That we are Ready, and do now tender our selves to take upon us the Office of Sheriffs for the City of London, and County of Middlesex for the ensuing Year, and to be Sworn and Admitted into that Office according to our Election; and in Order thereunto, to Attend your Lordship and the Aldermen to the Hustings or elsewhere, and either there, or in any other proper Place and Manner, to take the Oaths of the said Office, and such other Oaths as the Law requires, and further to do and perform whatsoever the Law, or the Right and Customs of this City require of Us concerning the said Office; and We humbly beg your Lordships and the Courts Answer therein.

Guild-Hall, 28 Septemb. 1682.

Thomas Papillon.
John Dubois.

The

The which having read, Mr. Papillon presented it to my Lord Mayor; but he refusing to take it, Mr. Papillon gave it to a Member of the Court, who accepted it, to prove the Tender of themselves.

And his Lordship being pressed to take the matter into debate, for that the Aldermen had been summoned to a Court, he answered, *There was no business.* To which it was replied, 'We have much to say, for the Citizens seem to be thrown out of possession of the Sheriffrick, which they have enjoyed so many Ages by free Election: We desire fairly to tender our Sheriffs, in order to have the business more fairly determin'd at Law, according to your Lordship's Promise, and Answer to the many Addresses made, That the Law should determine it: and it is the only way left us, tho' troublesome and chargeable. And we also desire the matter may be debated, that an Answer may be given to the Sheriffs who have tender'd themselves.

Sir P. W. then moved, That the aforesaid Paper, and his Lordship's refusal of it, might be recorded. Then Sir R. C. whisper'd to his Lordship, and told him, That if he took a Vote of the Court, he would engage them in it; and their averfeness to it, ought to alarm him not to take it upon himself: Upon which he did hesitate some time; but yet at length was prevailed with to go to the *Hustings* without further ado, taking Mr. North and calling Mr. Rich to go with him; Mr. Papillon and Mr. Dubois went along with him also, and did prepare themselves to have spoken to his Lordship and the Court on the *Hustings*, and so did several of the Aldermen; the Lord Mayor and several Aldermen having declared in the Council-Chamber, That they might say what they had to say when they came on the *Hustings*. But his Lordship would not hear them when they came thither: but the Military Guards, after admitting a few persons, closed again, so that the Liveries attending could not come near; and then his Lordship called Mr. North and Mr. Rich to the Book to be sworn. Mr. Papillon being on the *Hustings*, pressed the Lord Mayor that he might be heard; but my Lord refusing to hear him, Mr. Papillon presented a Paper signed by himself and Mr. Dubois, as follows, the substance of which he designed to have spoke.

To the Right Honourable the Lord Mayor and Aldermen at the Court of *Hustings* in the Guild hall, London, assembled for the Admission and Swearing the Sheriffs for the City of London and County of *Middlesex* for the ensuing Year, this 28th of September, 1682.

WE do here present our selves, and are ready to take upon us the Office of Sheriffs of this Honourable City of London and County of *Middlesex* for the ensuing year, & which, as we are informed, we are chosen by the Majority of the Citizens at the Common-Hall of this City: and we are here ready, and do render our selves to be admitted thereunto, and to take the Oath of the Office, and such other Oaths as the Law requires, and to do and perform whatsoever the Law, or the Rights and Customs of this City require of us, relating to that Office.

But this Paper being rejected by his Lordship with great heat, it was delivered to Sir John Lawrence, as an Evidence of their Tender; upon which Mr. Papillon and Mr. Dubois went to the Book with Mr. North and Rich, and Mr. Papillon laid his hand on the Book, and continued it there for some time, until the Lord Mayor and some of the Aldermen commanded them to forbear, and to keep the peace, and be gone; which they complied with, and retired; having before earnestly pressed to be heard, for that they had something of importance to say; and some of the Aldermen said, *My Lord, when we came out of the Council-Chamber, you said, what we had to say on this Subject, we might speak on the Hustings, and therefore we claim it of right to be heard.* But he refused all, and ordered to proceed in administering the Oath to North and Rich; whereupon the duly Elected Sheriffs and Six Aldermen withdrew, protesting against all the Irregular and Illegal Proceedings.

A Paper delivered to the Lord Mayor and Court of Aldermen, purporting the Report made by those Worthy Citizens appointed to make a Scrutiny of the Poll taken for Lord Mayor, on the behalf of Sir Tho. Gould and Alderman Cornish, Octob. 24. 1682.

London, October 24. 1682.

WE whose Names are here under-written, having been appointed on the behalf of Sir Thomas Gould and Alderman Cornish, to inspect the Poll lately taken for the Election of a Lord Mayor for the Year ensuing, between Sir VVilliam Pritchard, Sir Henry Tulse, and the said Sir Thomas Gould, and Alderman Cornish, and to make a Scrutiny whether any person had polled who had not Legal Right, do hereby certify, that we do find,

That the Numbers entred in the Books, amount to for

Sir William Pritchard,	2233
Sir Henry Tulse,	236
Sir Thomas Gould,	2289
Alderman Cornish,	2259

And

And we do farther Certifie, That the Gentlemen appointed to make the Scrutiny on the behalf of Sir William Pritchard, and Sir Henry Tulse, do make these Objections following, *viz.*

That several Persons of the *Merchant-Tailors* Company are not duely qualified to Poll, for that they have not taken the Livery-Man's Oath of that Company, entred amongst the By-Laws, Oaths, and Orders of the same.

Whereunto we have given an Answer to this effect:

That the Master, Wardens and Assistants of every Company have power to repeal, set aside, or suspend the Execution and using of their By-Laws, Oaths and Orders, as often as they shall think convenient, at their own Wills and Pleasures.

That the first of *October* 1680. the then Master, and Wardens, and Assistants of *Merchant-Tailors* Company did, by their Order, set aside the Imposition of the Oath, before that time usually Administred to such as were admitted Livery-men of that Company, upon their Admission; and that the several Persons last named, were admitted of the Livery of the said Company since the making of the said Order last mentioned, all which we are ready to prove.

They farther make this Objection, That several Persons of the Company of *Glovers* have polled, and did not take the Livery mans Oath, entred in their Books upon their Admission, and therefore have no Legal Vote. Whereunto we have given this Answer:

That this Oath is sometimes imposed, and sometimes omitted, according to the pleasure of the Master, Wardens, and Assistants, this, or the like Oath being no ways essential for making a Livery-man in any Company in *London*; And if the Masters, Wardens and Assistants, have omitted to Administer the usual Oath, the Livery-men are not to lose their Privileges or Franchises for the omission of others; and therefore these Livery-men have Legal Votes: And moreover, we are ready to prove, that all the said Persons but Twelve, have taken the said Oath.

They furthermore have made this Objection, That several persons of the Company of *Upholders* who have Polled, are of other Companies, and were not fairly Translated according to the Custom of the City, from being Members of such Companies at the time of their respective Admissions into the *Upholders* Company, and therefore were incapable of being Livery-men of the same.

Whereunto we have given this Answer, That any Citizen is capable to be at the same time a Member, and of the Livery of several Companies; and that the Use of Translation from one Company to another, is for the ease of such Citizens, he being not liable if once Translated, according to the Custom, to be put in any chargeable Offices by that Company from whence he is so Translated; and the want of such Translation shall not take away his Right of Polling once, if he was of Twenty Companies: and therefore these persons have Legal Votes.

They farther object, That many *Quakers* who are Freemen of this City, and of the Livery, have not Legal Votes; which Assertion, as we apprehend, is very strange, seeing they have not hitherto been disabled by any Law whatsoever: which Answers of ours we doubt not, will as well satisfy all indifferent and unconcerned persons as our selves, that the Objections above-mentioned, are of no weight or moment: And therefore we do farther Certify, (not having any farther regard to the said Objections) as followeth.

That the Number of the persons who have } Polled twice	Sir William Pritchard.	Sir Thomas Gould. Alderman Cornish.
	7	2
The Names of the persons who are not of the Livery, or were in the Countrey during the time of the Poll, and yet their Names entred in the Poll-Books. }	76	28
The Number of persons Polled, who are not } Free of the City, are	6	2

So that Sir William Pritchard hath in the whole	Votes.
Sir Henry Tulse hath in the whole	2144
Sir Thomas Gould hath in the whole	0236
Alderman Cornish hath in the whole	2257
	2227

So that the Majority is fallen upon Sir Thomas Gould and Alderman Cornish.

John Ellis, }
Jo. Hayes, } Gilbert Nelson,
Len. Robinson, } — Jacombe,
Francis Jenkes.

